



MULLEN
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June 20, 2023

VIA E-MAIL

Office of the Attorney General
Attn: Security Breach Notification
200 St. Paul Place
Baltimore, MD 21202
E-mail: idtheft@oag.state.md.us

Re: Notice of Data Event

To Whom It May Concern:

We represent Bay Crest Partners, LLC (“BCP”) located at 40 Wall Street, 42nd Floor, New York, NY 10005, and are writing to notify your office of an incident that may affect the security of certain personal information relating to one (1) Maryland resident. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, BCP does not waive any rights or defenses regarding the applicability of Maryland law, the applicability of the Maryland data event notification statute, or personal jurisdiction.

Nature of the Data Event

On May 2, 2023, BCP discovered suspicious activity on its systems. BCP immediately took steps to secure its network, and with the assistance of third-party forensic specialists, deployed measures to contain the incident. BCP then began an investigation to determine the nature and scope of the activity. BCP determined that an unauthorized actor gained access to its systems and accessed and acquired certain files from BCP systems between May 1, 2023 and May 2, 2023. On May 18, 2023, BCP confirmed that personal information was present in the impacted files, and was accessed or acquired during this incident.

The information that could have been subject to unauthorized access includes name and Social Security number.

Notice to Maryland Resident

On or about June 20, 2023, BCP will provide written notice of this incident to one (1) Maryland resident. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, BCP moved quickly to investigate and respond to the incident, assess the security of BCP systems, and identify potentially affected individuals. Further, BCP notified federal law enforcement regarding the event. BCP is also working to implement additional safeguards and training to its employees. BCP is providing access complimentary credit monitoring services to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, BCP is providing impacted individuals with guidance on how to better protect against identity theft and fraud. BCP is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

BCP is providing written notice of this incident to relevant state and federal regulators, as necessary.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4839.

Very truly yours,

Rebecca J. Jones of
MULLEN COUGHLIN LLC

RJJ/mah
Enclosure

EXHIBIT A



<<Return Mail Address>>

<<Name 1>> <<Name 2>>

<<Address 1>>

<<Address 2>>

<<Date>>

<<City>>, <<State>> <<Zip>>

<<Country>>

NOTICE OF DATA BREACH

Dear <<Name 1>> <<Name 2>>:

Bay Crest Partners, LLC ("BCP") is writing to notify you of a recent incident that affects the privacy of some of your personal information. We write to provide you with information about the event, our response, and steps you can take to help protect against the possible misuse of your information, should you feel it is appropriate to do so.

What Happened? On or about May 2, 2023, BCP discovered suspicious activity on our systems. We immediately took steps to secure our network, and with the assistance of third-party forensic specialists, deployed measures to contain the incident. We then began an investigation to determine the nature and scope of the activity. We have determined that an unauthorized actor gained access to our systems and accessed and acquired certain files from our systems between May 1, 2023 and May 2, 2023. On May 18, 2023, we confirmed that your information was present in the impacted files, and was accessed or acquired during this incident.

What Information Was Involved? Your name and [Data Elements] were present in the impacted files. We have no evidence that any of your information was used for identity theft or fraud.

What We Are Doing. We take this incident and the obligation to safeguard the information in our care very seriously. After discovering the suspicious activity, we promptly took steps to confirm our system security, and engaged with a third-party forensic specialist to assist in conducting a comprehensive investigation. Further, as part of our ongoing commitment to the privacy and security of personal information in our care, we are reviewing and enhancing existing policies and procedures relating to data protection and security. We have instituted additional security measures to better protect against future similar events. We have also notified federal law enforcement and relevant regulatory authorities.

BCP has no evidence of fraud or identity theft as a result of this incident, however, out of an abundance of caution, we are notifying you and providing information and resources to assist you in helping to protect your personal information, should you feel it appropriate to do so. As an added precaution, we are offering you access to credit monitoring and identity theft protection services for twenty-four (24) months through Experian at no cost to you. If you wish to activate these complimentary services, you may follow the instructions included in the attached *Steps You Can Take to Help Protect Personal Information*. We encourage you to enroll in these services as we are unable to act on your behalf to do so.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing account statements and monitoring your free credit reports for suspicious activity and to detect errors. You should report any fraudulent activity to law enforcement. You can also enroll to receive the complimentary credit monitoring services that we are offering to you. Please also review the information contained in the enclosed *Steps You Can Take to Help Protect Personal Information*.

For More Information. If you have additional questions or concerns, please feel free to call us at [TFN]. We are available Monday – Friday from 9:00 a.m. to 5:00 p.m. Eastern Time, except holidays. You may also write BCP at 40 Wall Street, 42nd Floor, New York, NY 10005.

We sincerely regret any inconvenience or concern this incident may cause.

Sincerely,

Lisa Carbonara
Compliance Officer
Bay Crest Partners, LLC

STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for 24 months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. If, after discussing your situation with an agent, it is determined that identity restoration support is needed then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred from the date of the incident (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that Identity Restoration is available to you for 24 months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration.

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary 24-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by** September 30, 2023 (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code**: [Activation Code]

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 1-877-890-9332 by September 30, 2023. Be prepared to provide engagement number B096267 as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 24-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARETM:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance^{**}:** Provides coverage for certain costs and unauthorized electronic fund transfers.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state Attorney General. This notice has not been delayed by law enforcement.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.